

State of California

## Memorandum

**Date:** November 4, 2016

**To:** All Commissioners, All Advisors, Executive Director Sullivan, Chief ALJ Clopton, General Counsel Agular

**From:** **Nick Zanjani,**  
**Director, Consumer Protection and Enforcement Division**

**Subject:** Agenda Item # 15305 before the Commission at its December 1, 2016 meeting.

In this management report, the Commission will be asked to approve the designation of the individual named below as an employee authorized to exercise the limited powers of a peace officer within the scope of her duties as specified in Penal Code Section 830.11 and Public Utilities Code Section 308.5.

In the scope of her duties, this individual may “investigate the laws administered by the Commission or commence directly or indirectly any criminal prosecution arising from any investigation conducted under these laws.” Penal Code Section 830.11 authorizes this individual to exercise the powers of arrest, the power to serve search warrants and the ability to receive and review “rap sheets.” As a matter of policy, this individual will not directly exercise her power of arrest or her power to serve search warrants. The CPUC’s policy is to rely upon local law enforcement to make arrests and serve search warrants. Consequently, the appointment of the individual listed below will enable her to obtain and review “rap sheets,” file misdemeanor complaints, be the affiant for search warrants, assist local law enforcement in conducting searches after local law enforcement has served the warrant and secured the area, and obtain phone disconnects, when such activities are undertaken in the course of investigating entities subject to the Commission jurisdiction.

1. Shirley Lei